

## TRIBUTE TO DALLAS CHAFFINS

**HON. HAROLD ROGERS**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 6, 2004*

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to pay tribute to Dallas Chaffins, an upstanding resident of the Fifth Congressional District of Kentucky. Chaffins, a 73-year-old coal miner in Eastern Kentucky, has been working underground for 56 years without ever having a lost-time injury. This remarkable accomplishment has earned him numerous awards and commendations, and I believe he deserves our recognition as well.

Born in Big Rock, Virginia, Dallas Chaffins started working in the coal mines on April 5, 1948, at the Buchanan Coal Company. Although he was only 17-years-old then, he had already been working for 6 years with his father in the timber industry. It's obvious that Dallas had a strong work ethic instilled in him from the time he was a little boy.

Throughout the next 6 decades, Dallas worked determinedly in the mines. During his career, he only took 2 years off, from October 1951 to October 1953, so he could serve his country in the United States Marine Corps.

And he's not quite ready to throw in his helmet yet.

He still rises each morning long before the sun does and heads to the mines to greet his coworkers with a handshake and a smile. You see, Dallas is known as much for his friendly disposition as he is his impeccable safety record. He attributes this characteristic to his devout faith in God. "I believe if a person keeps his own conscience clean that he will shine on the outside," he recently told a reporter for a Kentucky newspaper. "I think the Lord has blessed me with this. Yes, I give him all the credit."

In addition to being a friend and mentor, and source of joy to countless miners throughout the years, Chaffins has reared 12 children and now enjoys spending time with 26 grandchildren.

Mr. Speaker, on behalf of my colleagues and myself, I want to congratulate Dallas Chaffins on 56 years of tireless, careful service in the mines. His hard work and integrity is an inspiration to others, both young and old, and Eastern Kentucky is a better place because of him.

HONORING DR. ROGER W.  
LITWILLER

**HON. BOB GOODLATTE**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 6, 2004*

Mr. GOODLATTE. Mr. Speaker, I rise today to pay tribute to a leader in the field of medicine and an outstanding citizen of the Commonwealth of Virginia, Roger W. Litwiller, M.D.

Dr. Litwiller soon will complete his term as national president of the American Society of Anesthesiologists (ASA). It is my pleasure to recognize one of the Roanoke Valley's own as the 2003–2004 president of this prestigious national organization that is recognized worldwide for its outstanding work in improving patient safety.

Founded in 1905, ASA is the predominant professional organization representing more than 39,000 anesthesiologists. Since its founding, ASA has been the leader in the development of patient safety standards and guidelines for the delivery of safe patient care before, during and after surgery. Efforts on the part of the organization and its members are recognized throughout the scientific and medical communities. The Institute of Medicine, in its 1999 report on medical errors, recognized the successes of organized anesthesiology in improving patient outcomes.

Anesthesiologists either directly administer or supervise 90 percent of all anesthetics performed throughout this country, in hospitals and outpatient surgical centers, and in urban and rural areas. Besides the operating room, anesthesiologists are often found treating patients' pain and delivering critical medical care to patients in hospital intensive care units, emergency rooms and diagnostic facilities.

Dr. Litwiller received his medical degree from the University of Florida College of Medicine in Gainesville, Florida, and completed his anesthesiology residency at Case Western Reserve University in Cleveland, Ohio, and the University of Virginia in Charlottesville, Virginia.

He is currently a staff anesthesiologist for Carilion Roanoke Memorial Hospital, Roanoke, Virginia; Montgomery Regional Hospital, Blacksburg, Virginia; and Carilion Brambleton Ambulatory Surgery Center. He has worked in the private practice of anesthesiology in Roanoke, Virginia for more than 30 years.

Dr. Litwiller has served the Virginia Society of Anesthesiologists as president, newsletter editor and member of the Board of Directors.

For ASA, Dr. Litwiller has served as president-elect, first vice president, delegate, director, and chair of the committees on Finance, Governmental Affairs and Physician Resources. During his tenure as ASA president, Dr. Litwiller has made unparalleled strides in bringing together the various practitioners in medicine—from the operating room to the critical care suite and beyond—who share patient safety as their common goal. He has worked tirelessly with other organizations representing those who care for patients, and has involved ASA in numerous campaigns to improve surgical care.

Through the ASA Expert Witness Review process, he has also worked to ensure the accuracy of testimony given in malpractice suits, thereby helping to address the medical liability crisis.

He has spoken to countless groups all over the country to promote ASA's work, to ensure the future of academic programs in anesthesiology, and to tackle any threat to the continued development of science and research held so dear by this specialty.

Over the last year he united the professional associations providing the vast majority of anesthesia care in this country by identifying common goals. This cooperation between anesthesiologists and certified registered nurse anesthetists resulted in efforts such as joint statements on clinical issues, visits to regulatory officials in Washington, D.C., and work with the Joint Commission on Accreditation of Healthcare Organizations on patient safety matters.

He has been guided by a vision of compassion, science, and political involvement as the cornerstones of the practice of anesthesiology,

and in so doing has set an enduring example and created a legacy for his colleagues.

Mr. Speaker, I ask my colleagues to join me today in recognizing Roger W. Litwiller, M.D., for his notable career achievements, his exemplary leadership, his dedication to patient safety, and his legacy which will benefit the patients of today as well as tomorrow.

POLITICAL RELATIONS BETWEEN  
PUERTO RICO AND THE UNITED  
STATES**HON. ANÍBAL ACEVEDO-VILÁ**

OF PUERTO RICO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 6, 2004*

Mr. ACEVEDO-VILÁ. Mr. Speaker, the political status of Puerto Rico, and its relationship with the United States, is of great importance to the people of Puerto Rico. Puerto Rico has enjoyed Commonwealth status since 1952. One of the virtues of Commonwealth is precisely the fact that it possesses the flexibility to change the political status of Puerto Rico vis-a-vis the U.S., either within the framework of Commonwealth, or if the people choose other status options such as Statehood or Independence. Of course, Puerto Rico would work with the U.S. Congress towards implementing whichever option the people choose.

Since its creation, Commonwealth has been the preferred status option among the people of Puerto Rico. However, the people of Puerto Rico have failed in its previous efforts to improve Commonwealth because the different initiatives in Puerto Rico, as well as in this Congress, to deal with the status issue have not translated into concrete actions to implement the will of the people of Puerto Rico. Experience has shown that in order to have a true exercise of self-determination, we must work hard at achieving consensus among the people of Puerto Rico as to the process towards self-determination, in spite of our differences with regard to individual status preferences.

Hence, the Legislature of Puerto Rico approved Senate Concurrent Resolution 107 on July 22, 2004 which sets forth the public policy of said body that a Constitutional Assembly on Status is the preferred approach through which to exercise self-determination concerning the status of Puerto Rico and acknowledges these past failed attempts to deal with the status issue, recognizes the consensus among the people of Puerto Rico to effectively exercise their right to self-determination, and adopts the public policy that the Constitutional Assembly on Status is the best approach through which to exercise self-determination.

Accordingly, the Legislature of Puerto Rico has agreed to study and prepare legislation for the people to decide whether the Constitutional Assembly on Status is their preferred mechanism to deal with the status issue. Other mechanisms will be presented to the people. Thus the people will ultimately choose their preferred process. The legislation will also include the mechanisms through which delegates to the Assembly are elected, and will provide for its organization, if it is the option favored by voters.

At the same time, Senate Concurrent Resolution 107 orders the Puerto Rico Senate and

House Judiciary Committees to prepare a study and report with bills for the celebration of a referendum regarding the Constitutional Assembly, authorization of funds, and related matters. Such bills would guarantee the effective participation of representatives of the political parties and civil society; that the proposals to be considered by the people must stem from the principle of sovereignty in the future relationship of Puerto Rico and must be defined as being outside of the Territorial Clause of the U.S. Constitution; that the Constitutional Assembly must have attributes of deliberation and negotiation vis-a-vis the U.S. Government; and that every determination by the Assembly must be subject to ratification by the people through a referendum. The Committees shall issue its report by December 31, 2004, and it will thus be submitted for the consideration of the next Legislative Session.

Mr. Speaker, the Popular Democratic Party of Puerto Rico and I personally support the creation of a Constitutional Assembly on Status in order to deal with the status issue because it embodies the principle that it is the people of Puerto Rico who must decide their preferred political status, and that the process should be initiated in Puerto Rico. Therefore, we have made a commitment to initiate this process during the first half of 2005. At the same time, we recognize that even though this process is to be initiated in Puerto Rico, it cannot and should not be isolated from Washington. That is why, early in the process, Senate Concurrent Resolution 107 mandates notifying the White House, the President's Task Force on Puerto Rico's Status and the U.S. Congress of said Resolution.

Mr. Speaker, I rise today to, as requested by the Puerto Rico Legislature and in compliance with Article 6 of Senate Concurrent Resolution 107, notify this Congress of said Resolution by placing the English-language translation of Senate Concurrent Resolution 107, along with its certification, into the RECORD at this time. I am also sending a copy of Senate Concurrent Resolution, and its certification, to the U.S. Senate, the President of the United States, the President's Task Force on Puerto Rico's Status, and the United Nations' Special Committee on Decolonization.

Mr. Speaker, I am confident that the people of Puerto Rico will soon be able to truly exercise their right to self-determination in a meaningful manner, one in which the outcome will be a product of the democratic tradition we so dearly cherish.

#### CONCURRENT RESOLUTION 107

(To consign the public policy of the Legislature of Puerto Rico in facing and attending to the urgent need to review the political relations between Puerto Rico and the United States through a Constitutional Assembly on Status elected by the people in the exercise of the natural right to self-determination and sovereignty, and to initiate its organizational process)

#### STATEMENT OF MOTIVES

The right of the People to freely choose their system of government and their political destiny in relation to the other countries is an inalienable natural right: neither can legislation contrary to this right be admitted nor can a regime or legislation contrary to the full exercise of this right be admitted. This is thus consigned in several resolutions of the General Assembly of the United Nations Organization applicable to Puerto Rico.

The regime of the political relations between Puerto Rico and the United States of

America remained subject for future deliberation since the conclusion of the deliberations of the Constitutional Convention on the political status of the People of Puerto Rico in 1952, which drafted the Constitution of the Commonwealth of Puerto Rico. This by virtue of Public Law 600 of the 81st Congress of the United States of 1950, adopted in a referendum held in Puerto Rico, which limited the deliberative and governmental framework of the Constitutional Convention from 1951 to 1952.

The Constitutional Convention of 1952 expressed through Resolution No. 23 that: "The People of Puerto Rico reserve the right to propose and accept modifications in the terms of its relations with the United States of America, in order that these relations may at all times be the expression of an agreement freely entered into between the People of Puerto Rico and the United States of America." (Enacted February 4, 1952, and forwarded to the President of the United States).

This expression, based on a natural and constitutional right and of the highest democratic nature, was subsequently incorporated by the General Assembly of the United Nations Organization in its Resolution 748 (VIII) of November, 1953, regarding the documents submitted by the United States Government on the Constitution of the Commonwealth of Puerto Rico. It is thus stated in its ninth enabling paragraph where it is expressed, "its assurance that, in accordance with the spirit of the present Resolution... due regard will be paid to the will of both the Puerto Rican and American peoples... in the eventuality that either of the parties to the mutually agreed association may desire any change in the terms of this association."

Since the effectiveness of the present status of political relationship between Puerto Rico and the United States, untiring efforts have been made to review the political status issue of Puerto Rico and the scope of the relationship with the United States of America. Specifically, in 1967, a consultation process of the people was held in which the majority of the participants reaffirmed their support to the Commonwealth option, and subsequently, in 1993, a second plebiscite was held, and once again the Commonwealth option was favored. Finally, in 1998, a new plebiscite was held in which the Legislature of Puerto Rico, and not the political parties or the representative groups of specific ideologies, defined the status options to be presented to the people. In said plebiscite, the "None of the Above" option was favored.

Likewise, in the past fifty-two years several efforts have been made to have the United States Congress enact legislation that would allow further the discussion of this issue. Specifically, we take notice of the efforts made through the Status Commission during the decades of the 60s and 70s; and from 1989 to 1991 by the U.S. Senate Resources Committee, and in the mid 90s, by the U.S. House of Representatives Resources Committee. None of these efforts was able to produce legislation that would effectively attend the discussion of status.

Having repeatedly approached through decades diverse methods, the Legislature of Puerto Rico, exercising its powers and faculties pursuant to the Constitution of the Commonwealth of Puerto Rico, proposes a consultation of the people so that they may determine the procedural mechanism they deem proper to deal with the issue of the political status of Puerto Rico, and the scope of the relationship with the United States of America. In this referendum a constitutional assembly will be presented as an alternative.

More than fifty years have elapsed since the establishment of the present status, and considering the manifest expressions of all

representative sectors of the country on the need to make changes to the present relationship, it is proper for this Legislature to consult the people in order to initiate the process to elect an adequate mechanism to deal with the political status of Puerto Rico and its relationship with the United States of America: be it

*Resolved by the Legislature of Puerto Rico:*

#### GENERAL PROVISIONS

Section 1.—Statement of Public Policy.

It is hereby declared that the People of Puerto Rico have the inalienable natural right to self-determination and political sovereignty. In accordance thereto, this Legislature declares that, upon the failure of several processes for the exercise of this right, it is imperative for the people to exercise the same through a Constitutional Assembly on the status of the relationship between Puerto Rico and the United States of America.

Section 2.—The Legislature acknowledges the Report rendered on March 11, 2002, as directed by Senate Resolution 201 and House Resolution 3873, both recommending the mechanism of an Assembly of the People to consider the status issue.

Section 3.—It is proper to study and draft the legislation for the people to decide on the desirability of calling a Constitutional Assembly on Status. The legislation shall include the mechanisms to implement the election of delegates and the organization of the Constitutional Assembly on Status, if it is favored at the polls.

Section 4.—The Committee on the Judiciary of both Bodies shall prepare a study and report which shall contain projects of law for holding a referendum on the calling of said Constitutional Assembly, appropriation of funds, and every other measure or process needed to implement this public policy. The following shall be assured:

(a) The effective participation of the representatives of the political parties and the civil society.

(b) That the proposals to be submitted to the consideration of the people arise from the principle of sovereignty in the future political relationships of Puerto Rico, and be as such defined outside of the territorial clause of the Constitution of the United States of America.

(c) That the Assembly shall enjoy deliberative and negotiation attributes with the United States Government.

(d) That every determination of the Assembly shall be subject to ratification by the people at a referendum.

Section 5.—The Committee shall render its report before December 31, 2004, and thereby be submitted for the consideration of the next Regular Legislature.

Section 6.—A copy of this Concurrent Resolution, together with the results of the vote for its approval, shall be certified by the Office of the Secretary and of the Clerk of both Chambers, and remitted to the Special Decolonization Committee of the United Nations General Assembly, to the White House Interagency Committee on the Status of Puerto Rico, and to the Congress of the United States of America.

Section 7.—This Concurrent Resolution shall take effect upon its approval and constitutes public policy until its repeal or implemented.

I, José Ariel Nazario-Álvarez, Secretary of the Senate of the Commonwealth of Puerto Rico, hereby certify that the enclosed document is a true and exact copy of S. Conc. R. 107 approved on July 22 of 2004.

HONORING BERNARD HOPKINS

**HON. ROBERT A. BRADY**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 6, 2004*

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise to honor Philadelphia's own, Bernard "The Executioner" Hopkins. Mr. Speaker, my hometown is one of the greatest sports cities in the world. We have honored many champions over the years. But none of them is more revered than the undisputed Middleweight Champion of the world, Bernard Hopkins.

Bernard always dreamed of being a champion. He first showed his championship form at an early age, winning the Pennsylvania Junior Olympics at age nine. Mr. Speaker, Bernard Hopkins' name is frequently and properly mentioned in the same breath as the best middleweights in history. Men like Sugar Ray Robinson, Carlos Monzon and Marvelous Marvin Hagler. Even his latest opponent, Oscar De La Hoya once said that Hopkins is "one of the great talents we've had in this generation." De La Hoya, who lost and was go'd by a Hopkins left hook to the body, called the champ one of the top 5 boxers in history. And, like his championship, that description is undisputed. After all, he has won 45 professional bouts, 32 by knockout.

Let's put his record into perspective. Carlos Monzon formerly held the seemingly unbreakable record for successful title defenses, beating back 14 attempts to take his crown. But, Hopkins shattered that record back in 2002. Altogether, he has successfully defended his title 19 times since January, 1996.

This record is historic and he should be proud of it. But, Mr. Speaker, Philadelphians don't simply love and respect Bernard Hopkins the fighter. They love and respect Bernard Hopkins the man. He rose from humble beginnings to reach greatness. And he never left behind the city of his birth.

Bernard is a true role model. He works tirelessly with offenders, especially youth, to help them get on and stay on the straight and narrow. He is a husband and a father and great American.

Mr. Speaker, I know that all my colleagues join me in honoring a great champion, and an even greater person, Bernard Hopkins.

LETTERS FROM A MARINE  
OFFICER**HON. LAMAR S. SMITH**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 6, 2004*

Mr. SMITH of Texas. Mr. Speaker, I'd like to submit for the CONGRESSIONAL RECORD two letters that were forwarded to me by Bill and Bonnie Nofsinger. Their nephew, 1st Lt. Robert I. Nofsinger, is stationed in Iraq with the United States Marine Corps.

Lieutenant Nofsinger's letters contradict much of what has been reported in the national news media about the war on terror in Iraq. Reports have led some Americans to conclude that all of Iraq is in turmoil and despair, which is not supported by the facts. Much of the country is making the successful transition to stability.

Lt. Nofsinger writes:

"When you watch the news and see doomsday predictions and spiteful opinions about our efforts over here, you can refute them by knowing that we are doing a tremendous amount of good. So spread the word."

Mr. Speaker, I will follow Lt. Nofsinger's advice and spread the word by submitting his eloquent and heartfelt letters for my colleagues and others to read.

HELLO EVERYONE: I am taking time to ask you all for your help. First off, I'd like to say that this is not a political message. I'm not concerned about domestic politics right now. We have much bigger things to deal with, and we need your help.

It seems that despite the tremendous and heroic efforts of the men and women serving here in Iraq to bring much needed peace and stability to this region, we are losing the war of perception with the media and American people.

Our enemy has learned that the key to defeating the mighty American military is by swaying public opinion at home and abroad. We are a people that cherish the democratic system of government and therefore hold the will of the people in the highest regard. We love to criticize ourselves almost to an endless degree, because we care what others think. Our enemies see this as a weakness and are trying to exploit it.

When we ask ourselves questions like, "Why do they hate us?" or "What did we do wrong?" we are playing into our enemies' hands. Our natural tendency to question ourselves is being used against us to undermine our effort to do good in the world. How far would we have gotten if after the surprise attacks on December 7, 1941 at Pearl Harbor, we would have asked, "Why do the Japanese hate us so much?" or "How can we change ourselves so that they won't do that again?"

Here in Iraq the enemy is trying very hard to portray our efforts as failing and fruitless. They kill innocents and desecrate their bodies in hopes that the people back home will lose the will to fight for liberty. They are betting on our perceived weakness as a thoughtful, considerate people. Unfortunately our media only serves to further their cause. In an industry that feeds on ratings and bad news, a failure in Iraq would be a goldmine. When our so-called "trusted" American media takes a quote from an Iraqi doctor as the gospel truth over that of the men and women that are daily fighting to protect the right to freedom of the press, you know something is wrong. That doctor claimed that of the 600 Iraqis who were casualties of the fighting in Fallujah, the vast majority of them were women, children and the elderly. This is totally absurd. In the history of man, no one has spent more time and effort, often to the detriment of our own mission, to be more discriminate in our targeting of the enemy than the American military. The Marines and Soldiers serving in Iraq have gone through extensive training in order to avoid shedding innocent blood.

Yet, despite all of this, our media consistently sides with those who openly lie and directly challenge the honor of our brave heroes fighting for liberty and peace. What we have to remember is that peace is not defined as an absence of war. It is the presence of liberty, stability, and prosperity. In the face of the horrendous tyranny of the former Iraqi regime, the only way true peace was able to come to this region was through force. That is what the American Revolution was all about. Have we forgotten?

Freedom is not free and "peace" without principle is not peace. The peace that so-called "peace advocates" support can only be brought to Iraq through the military. And we are doing it, if only the world will let us!

If the American people believe we are failing, even if we are not, then we will ultimately fail. That is why I am asking for your support. Become a voice of truth in your community. Wherever you are, fight the enemy's lies. Don't buy into pessimism and apathy and say that it is hopeless, that they hate us too much, that this part of the world is just too messed up and it is our fault anyway, that we are to blame.

Whether you're in Middle School, working a 9-5 job, retired or a stay-at-home mom, you can make a huge difference! There is nothing more powerful than the truth. So, when you watch the news and see doomsday predictions and spiteful opinions about our efforts over here, you can refute them by knowing that we are doing a tremendous amount of good. Spread the word. No one is poised to make such an amazing contribution to the everyday lives of Iraqis and the rest of the Arab world than the American Armed Forces. By making this a place where liberty can finally grow, we are making the whole world safer.

Your efforts at home are directly tied to our success. You are the soldiers at home fighting the war of perception. So I'm asking you as fellow soldiers to do your duty; stop the attempts of the enemy wherever you are. You are a mighty force for good, because truth is on your side.

Together we will win this fight and ensure a better world for the future.

God Bless and Semper Fidelis,

1ST LT. ROBERT L. NOFSINGER USMC.

DEAR FRIENDS: Well, my unit has come to the end of its time here in Iraq and I wanted to send a final note. During the past seven months 3rd Battalion 11th Marines has accomplished much. Our artillery Battalion was given the mission of convoy security and provisional MP (Military Police) duties. From that mission gnaw other duties and we eventually ended up accomplishing a wide range of tasks.

We were assigned to assist the Iraqi Border Patrol along the Saudi Arabian border. Along with that came the responsibility to care for the nearby town of Nukhayb. It is a fairly small town that had been ravaged by two wars, 12 years of sanctions, and a tyrannical government that neglected its basic needs. Over the course of seven months, our small civil affairs section was able to spend roughly \$1.3 million on the infrastructure, people of Nukhayb and outlying areas. The projects included the following:

Hospital renovation and medical supplies; school refurbishment; water supply improvement; sanitation equipment; regional fire department; agricultural cooperative; multiple power generators and transformers; equipment and gear for local Iraqi Security Forces; electrical rewiring; refurbishment of local government buildings; establishment of employment programs; and local mosque refurbishment.

Nukhayb is now a thriving active community with a renewed sense of direction. The local economy is rapidly increasing and is already far beyond where it was at any time during the past 30 years. 3/11's main mission was to provide convoy security for military and non-military convoys throughout Iraq. This was done with the utmost patience and professionalism. The Marines of 3/11 being trained as artillerymen, performed tremendously as provisional infantrymen without skipping a beat. As this war has only further proven, Artillerymen are the "go to" Marines of the Marine Corps. In the end 3/11 was responsible for escorting hundreds upon hundreds of vital convoys throughout the theater.

In addition to this responsibility 3/11 was asked to supervise and run a provincial Iraqi